Annual Report to Parliament

Access to Information Act

2009 - 2010

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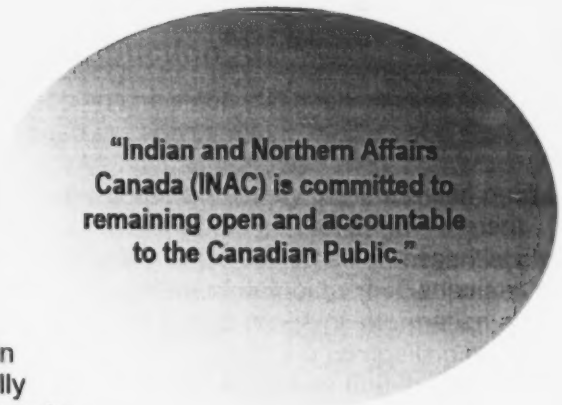
Introduction



The right of access by the Canadian public to records under the control of government institutions is perceived as an essential element of our system of democracy. Canadians require access to a wide range of information about government. There is a compelling public interest in openness, and to ensure that the government is fully accountable for its goals and that its performance can be measured against these goals. The *Access to Information Act* was established in 1983 to ensure that Canadian citizens, permanent residents, or any person or corporation present in Canada has a right to access information that is contained in government records. It ensures the government's commitment to openness and transparency by respecting both the spirit and requirements of the *Access to Information Act*, its Regulations and its related policy instruments. It further plays a role in facilitating democracy by providing access to records containing the information required to participate in the democratic process; and ensuring that public office holders and public servants are accountable.

The Government of Canada further acknowledges the importance of facilitating access to records by requiring government institutions to make every reasonable effort to assist applicants. The government must ensure a high standard of care for records under its control, with sound information management playing a key role in facilitating the ability to exercise the right of access under the Act.

Indian and Northern Affairs Canada (INAC) is committed to being open and accountable to the Canadian Public. The *Access to Information Act* provides INAC with an opportunity to showcase the diligence and effort that the Access to Information and Privacy (ATIP) Directorate has placed into making requests for government information a faster and more efficient process. INAC is striving to not only comply with the *Access to Information Act*, but to build policies and procedures that make inherent responsibilities simple to follow and easy to understand. By clearly defining roles and responsibilities related to the *Access to Information Act* and remaining open and transparent with the public, INAC will ensure that it conforms with the *Federal Accountability Act*'s provision of "duty to assist" requestors seeking departmental records.

About Indian and Northern Affairs Canada

Shaped by centuries of history, the responsibilities of Indian and Northern Affairs Canada (INAC) are complex and wide ranging. There are challenges to meet regarding not only the relationships between the Government of Canada and Canada's Aboriginal people, but the geography of the landscape and the remoteness of many Aboriginal communities presents a challenge in providing access and equality of services.

INAC is committed to supporting Aboriginal people (First Nations, Inuit and Métis) and Northerners in their efforts to improve social well-being and economic prosperity; develop healthier, more sustainable communities; and participate more fully in Canada's political, social and economic development – to the benefit of all Canadians.

Under the *Indian Affairs and Northern Development Act* and the *Indian Act*, INAC negotiates, implements and manages extensive land claims and disputes. INAC delivers services such as education, housing, community infrastructure and social support to Status Indians on reserves along with other regulatory duties. It is through these mandates and responsibilities that INAC hopes to realize the vision of strong, self-sufficient northern people and Aboriginal communities.

While helping to shape and manage the relationships between Canada and its Aboriginal people, it is important to recognize that INAC is the lead federal department for two-fifths of Canada's land mass. Northern Canada is situated atop an abundance of natural resources. There is both great interest and concern in the political and environmental management of these resources. This means that INAC will have a significant role to play in Canada's economic future.

Departmental Mandate

Indian and Northern Affairs Canada (INAC) is responsible for two separate yet equally important mandates: **Indian and Inuit Affairs** and **Northern Development**. This broad mandate is derived largely from the *Department of Indian Affairs and Northern Development Act*, the *Indian Act* and, territorial acts and legal obligations arising from section 91(24) of the *Constitution Act*. The Department is responsible for administering more than 50 statutes in total. Consequently, INAC's mandate is complex and its responsibilities encompass a broad spectrum of programs.

The Department is responsible for meeting the Government of Canada's obligations and commitments to First Nations, Inuit and Métis and for fulfilling the federal government's constitutional responsibilities in the North.

The Minister of Indian Affairs and Northern Development is also the Federal Interlocutor for Métis and Non-Status Indians. The Federal Interlocutor's role is to provide a point of contact between the Government of Canada and Métis, Non-Status Indians and urban Aboriginal peoples. The goal of this relationship is to advocate for and work with off-reserve Aboriginal Canadians in order to achieve equal services to those living on reserves.

Indian and Northern Affairs Canada and the Access to Information and Privacy Directorate

The Access to Information and Privacy (ATIP) Directorate reports to the Corporate Secretary who is directly accountable to the Deputy Head and is a member of the Senior Management Committee. The Directorate is essentially comprised of two groups, Access and Privacy.

"The ATIP Directorate provides workshop presentations, training courses and awareness sessions designed to increase knowledge and understanding of Access to Information and Privacy issues and concerns..."

The ATIP Directorate is responsible for the coordination and implementation of policies, guidelines and procedures to ensure departmental compliance with the *Access to Information Act* and the *Privacy Act*. Indian and Northern Affairs Canada (INAC) has taken a proactive approach to the administration of these responsibilities. The ATIP Directorate provides workshop presentations, training courses and awareness sessions designed to increase knowledge and understanding of Access to Information and Privacy issues and concerns across the Department. A priority for INAC is strengthening its accountability with respect to access and privacy and the management of its information holdings as well as personal information holdings.

To this end, INAC has instituted a new ATIP case management system called the AccessPro Case Management/AccessPro Redaction system. INAC is excited to implement this system as it will greatly speed up the process to respond to requests for information while reducing the burden to report and at the same time remaining compliant with current legislative practices. The system, therefore, helps to optimize time management and available resources so that INAC can assist requesters with ease and efficiency.

Mission and Goals

The essence of the Directorate's mission is to provide access to departmental information and to ensure protection of its personal information holdings. These are the core services the Directorate. In recent years, the Directorate has created a Privacy Policy Division which provides advice and guidance on the collection, use and disclosure of personal information through the framework of the Privacy Impact Assessment Policy instituted in the year 2002 by the federal government.

The primary and most cost effective strategic actions relevant to achieving the role of improving access to information and the protection of personal information involves increasing the effective use of human resources, electronic information and communications technology.

The most important strengths of the ATIP Directorate are its human resources. The Directorate is composed of employees that have extensive specialized knowledge in this field. As well, the Directorate has entry level positions to allow new staff to acquire the necessary knowledge and skills to eventually hold senior level positions. The Directorate has undergone a human resources restructuring this past year. It is now designed in a three-team structure with Senior ATIP Advisors as Team Leaders. This enables the team leaders to consecrate more time to their team members in a smaller setting.

The Directorate has a compliment of 30 staff members. Management is presently reviewing this compliment to ensure that it reflects the business requirements of the Directorate.

The most significant non-human resource of the Directorate is the case management system used to process ATIP requests. This past fiscal year a new system was implemented. Entitled AccessPro Suite and AccessProRedaction, this system not only manages requests, it also provide reports on the activities conducted through the system. The fabric of information technology allows the staff of the Directorate to execute it responsibilities under the various legislation and respective polices.

Access to Information and Information Management

INAC recognizes that public accountability is a fundamental aspect to good business management. As such, the department is committed to disclosing information to foster openness and transparency while at the same time seeking a balance with the need for maintaining confidentiality of information.

Departmental employees need to be aware of his/her responsibility in providing access to departmental records under the *Access to Information Act* and *Privacy Act*.

Access to information is achieved by effective information management. A strong relationship between those who provide information access to records and those who are responsible for the management of our departmental information will improve the manner in which we respond to requests. The ability to access the department's information holdings in an efficient manner depends on knowing what information exists, where it is located and how well it is managed.

To this effect, the Access to Information and Privacy Directorate has established a closer working relationship with the department's Corporate Information Management (CIM) Directorate. This has assisted the ATIP Directorate to identify, and share with the CIM Directorate, those program areas within INAC which may require improvement in the management of their information holdings.

Highlights

Indian and Northern Affairs Canada (INAC) support and emphasize a culture of openness in the efficient processing of access requests. It is actively committed to transparency through compliance with the *Access to Information Act* and its corporate policies and procedures on the subject. Over the 2009-2010 fiscal year, INAC made progress in working towards a solution-oriented culture that relies on efficient processing of access requests, and building education and awareness on access to information throughout the Department. In doing so, the Access to Information and Privacy (ATIP) Directorate is pleased to present the following highlights:

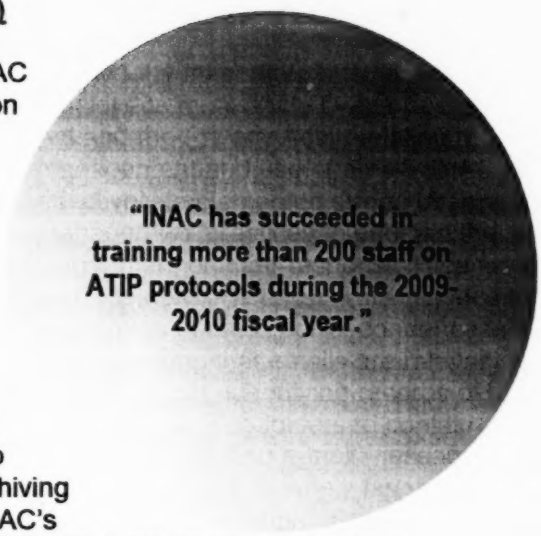
Completed ATI Requests

The ATIP Directorate is pleased to report that it was successful in completing almost **90% of formal requests it received under the *Access to Information Act* within the legislated time frame of thirty (30) days.** Cooperation, education, and fostering positive relationships with programs is paramount to the successful and timely processing of requests, and the ATIP Directorate continues to build on this obligation.

Implementation of New ATIP Case Management and Redaction Software

INAC has instituted a new ATIP case management system entitled AccessPro Case Management / AccessPro Redaction. The use of this system will improve the response time in processing of requests while reducing the burden to report and, at the same time, remaining compliant with current legislative practices. The system will therefore help to optimize time management and available resources so that INAC can assist requesters with ease and efficiency.

Management and Use of Electronic Mail (Email)



Beyond the immediate business requirements, INAC employees must abide by the Access to Information Act and the Privacy Act in relation to the management and use of email. INAC has effectively implemented strong information management practices to educate the Department on their responsibilities for the management of emails. This includes avoiding duplication of email correspondence in subject files, ensuring that emails are relevant to the subject matter, identifying records of business activities, creating folders to contain similar e-mail messages, deleting e-mail messages which are no longer required in a timely fashion and filing or archiving messages in the appropriate tracking systems. INAC's proactive support to this initiative has ensured a decrease in the volume of pages of Access to Information Requests and has improved INAC's information management practices as a whole.

Education and Training

Educating staff on the *Access to Information Act,* its implications on the Department and its functions are of paramount importance to Indian and Northern Affairs Canada (INAC). As a large part of the INAC mandate is related to building strong relationships with Aboriginal people (First Nations, Inuit and Métis) and Northerners, it is important that staff are sensitive to the needs of the people they serve.

It has become clear in recent years that the ability to access government records is of great interest and concern to the public. Openness, accountability and speed of service, with regard to requestors' right of access to government records, are some of the key areas of focus in INAC's educational training on the *Access to Information Act.*

When understanding the *Access to Information Act*, staff are better able to handle requests for records and respond with confidence and efficiency. INAC has made it a priority to train staff on understanding and implementing the policies and procedures related to the *Access to Information Act.*

Altogether INAC has run 20 Access to Information and Privacy (ATIP) training sessions in the 2009-2010 fiscal year. Twelve (12) of the ATIP sessions were conducted in English and eight (8) sessions were conducted in French. Each session averaged approximately three hours in length. INAC has succeeded in training more than 200 staff on ATIP protocols during the 2009-2010 fiscal year.

Ultimately, staff training will continue to improve INAC's capacity to meet their legislative obligations including the "duty to assist" requestors.

Delegated Authorities

Under section 73 of the Access to Information Act, the Minister's authority is delegated to enable the Department to meet its legislated requirements as well as to exercise its powers. Responsibility for all sections of the Acts has been delegated to the Corporate Secretary and to the Departmental Access to Information and Privacy Coordinator (Director) within the Corporate Secretariat. Certain staff are also delegated to carry out specific administrative functions. The Department's Delegation Orders for the Access to Information Act can be found at "Appendix C".

Information Holdings

A description of the classes of institutional records held by the department can be found in the following Info Source publications for 2009-2010: Sources of Federal Government Information and Sources of Federal Employee Information.

Info Source can be accessed online: http:www.infosource.gc.ca.

Reading Room

A reading room is available for individuals wanting to review departmental records publications, and other materials. The room is situated in the departmental library and individuals can contact library personnel for use of the facility.

The department library is located at:

10 Wellington Street
Gatineau, Québec
K1A 0H4

Telephone: 819-997-8205
Fax: 819-953-5491

Definitions for the Disposition of Access to Information Requests

All Disclosed - All of the information requested was disclosed to the applicant without the application of exemptions and/or exclusions.

Disclosed in Part - Only a portion of the information requested was disclosed because the remainder was exempt and/or excluded.

Nothing Disclosed (Excluded) - There was no disclosure as all of the information requested qualified for exclusion under Section 68 or Section 69 of the *Access to Information Act* or Section 69 or Section 70 of the *Privacy Act*.

Nothing Disclosed (Exempt) - There was no disclosure because all of the information requested qualified for an exemption.

Unable to Process - This category includes requests that are not accounted for elsewhere, such as requests made under the wrong legislation, requests where there was not sufficient information to locate any relevant information, requests for records that are not under the control of the institution, or requests for which no identifiable records exist.

Abandoned by the Applicant - A request is considered abandoned when the applicant formally withdraws it or when the applicant does not respond to a notice that the request will be closed if not responded to within 30 days.

Transferred - This refers to requests filed under the *Access to Information Act* that were transferred to another government institution with "greater interest". The receiving institution will account for the request under "Received during reporting period".

Treated Informally - Requests are treated informally when it has been determined that, through consultation with the applicant, processing a formal request can be discontinued in favour of providing the information informally, i.e. outside the *Access to Information Act*. A request treated in this manner is not considered to have been abandoned.

Requests Under the Access to Information Act

Between April 1, 2009 and March 31, 2010, the Department received three hundred ten (310) requests for information under the *Access to Information Act*. In addition, one hundred twenty (120) requests were carried over from the previous fiscal year, for a total of four hundred thirty (430) requests. During the reporting period three hundred thirty (330) were processed and one hundred (100) active files will be carried over to the next reporting period. The annual statistical report on the operations of the *Access to Information Act* can be found under "Appendix A".

Sources

The breakdown of sources for the *Access to Information Act* requests received during the reporting period from April 1, 2009 and March 31, 2010 are illustrated below in *Figure 1*.

•	Media	**51**
•	Academia	**7**
•	Business	**97**
•	Organization	**44**
•	Public	**111**
	Total	**310**

Figure 1. Breakdown of Sources

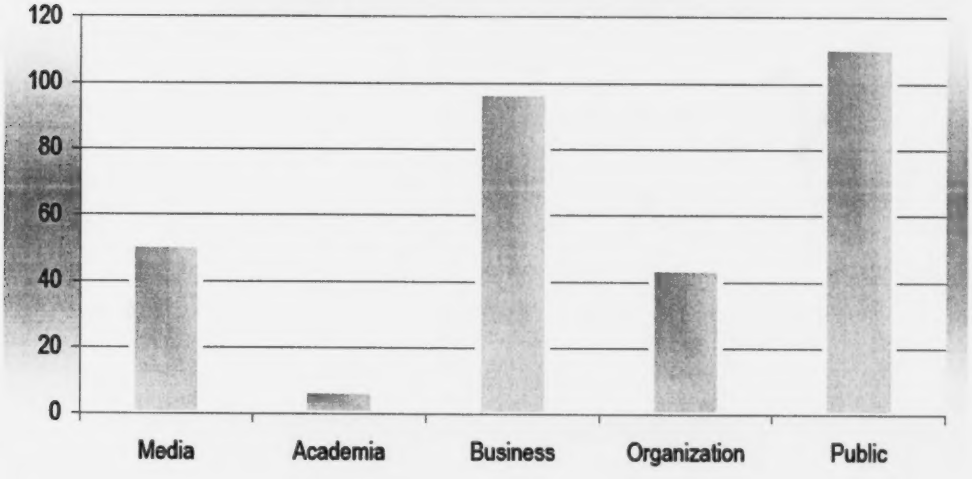


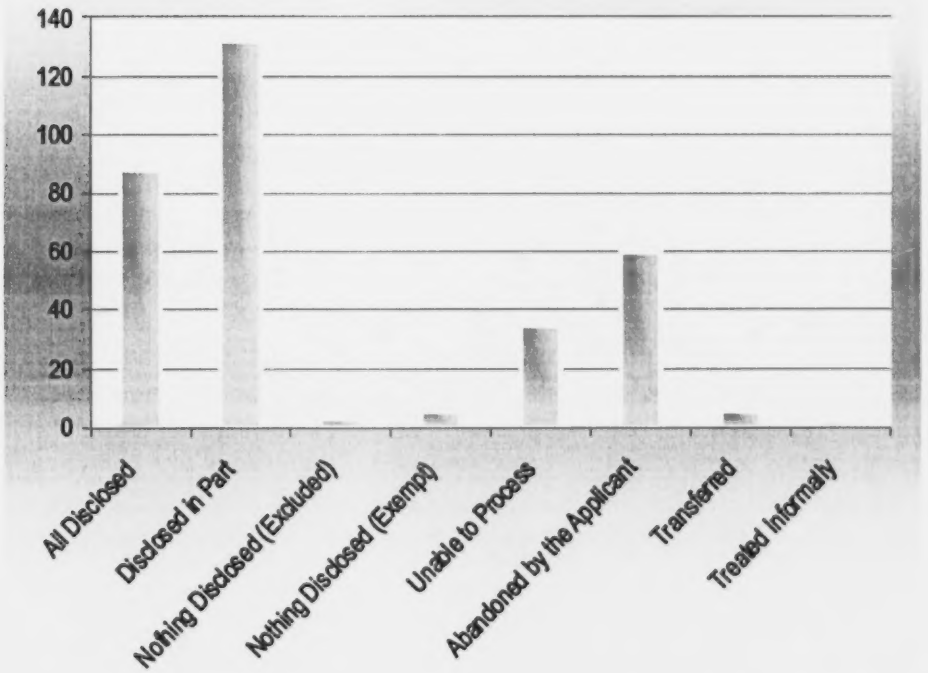
Figure 1

Disposition of Completed Requests

The disposition of completed requests under the *Access to Information Act* for the 2009-2010 reporting period is illustrated below. (See *Figure 2*):

• All Disclosed	**88**
• Disclosed in Part	**132**
• Nothing Disclosed (Excluded)	**3**
• Nothing Disclosed (Exempt)	**5**
• Unable to Process	**35**
• Abandoned by the Applicant	**60**
• Transferred	**5**
• Treated Informally	**2**
Total	**330**

Figure 2. Disposition of Completed Requests



Fees and Costs

For the 2009-2010 reporting period, the Department collected $9,895.20 in fees for reproduction, searching and preparation costs, and waived $5,511.20 in fees. The ATIP Directorate incurred an estimated $1,000,000.00 in salary and $150,000.00 in administrative costs to administer the Access to Information Act. These costs do not include the resources expended by the program areas of the Department to meet the requirements of the Act.

Consultations With Other Institutions

When a request contains records that are of interest to another institution, the Access to Information and Privacy Coordinator of that institution is consulted. Indian and Northern Affairs Canada was consulted in one hundred twenty three (123) cases in the 2009-2010 reporting period.

Complaints and Investigations

During the 2009-2010 reporting period twenty nine (29) complaints against the Department were filed with the Office of the Information Commissioner of Canada in relation to the procession of requests under the Act. Thirty two (32) complaints were carried over from the last fiscal year. As such twenty nine (29) investigations were completed and thirty two (32) will be carried over to the next reporting period. Of the twenty nine (29) completed investigations, the Information Commissioner of Canada concluded that eleven (11) complaints were not substantiated, eleven (11) complaints were resolved, and seven (7) complaints were discontinued. None of the complaints were considered to be founded.

Summary of Key Issues Regarding Complaints and Investigations

The Access to Information Act was established in 1983 to ensure that Canadian citizens, permanent residents, or any person or corporation present in Canada has a right to access information that is contained in government records. It ensures the government's commitment to openness and transparency by respecting both the spirit and requirements of the Access to Information Act, its Regulations and its related policy instruments.

A complaint can be filed against Indian and Northern Affairs Canada (INAC) under the Access to Information Act when a person feels that their right to access permissible records has been violated. INAC pursues an investigation of every complaint to an end point of either resolution or the complainant no longer wishing to pursue the matter. The resulting investigation is to be performed in a timely manner: thirty (30) days or sixty (60) days if an extension is granted. The resolution to the investigation will either

occur through current policies and procedures or it may shed light on policies and procedures that need to be updated to better serve the public.

Every complaint that INAC receives is pursued diligently. INAC's commitment to comply with the Access to Information Act and willingness to work with the public to uphold their rights has led to continual improvements in efficiency and ability to assist requestors.

Table 1 outlines a summary of the resolutions for completed requests during the 2009-2010 reporting period.

Table 1. Summary of Key Issues	
Deemed Refusal – (delay beyond the 30 day time limit)	6
Time Extension – institution informed requestor of extra time necessary to process your request	2
Fees – fee assessment to produce records is not justified	3
Miscellaneous – any reason not listed	2
Refusal 69 – exclude Cabinet confidences	3
Refusal (Exemption) – records or portions of records withheld from access	8
Refusal General – any other reason	5

Figure 3

Summary of Select Cases

Photocopy Fees

In July of 2007 a request was made for an estimate of photocopy fees for the release of 989 pages of records. A response was generated indicating that a fee of $197.80 would result from the production of these records. Previously the requestor stated to have received records via CD at no charge.

The requestor then filed a complaint against Indian and Northern Affairs Canada (INAC) as payment for such records had not previously been instituted and the data could previously be received in a medium of choice (CD, electronic, paper.)

Upon investigation it was revealed that INAC no longer delivered this kind of sensitive information via CD or any other electronic format as the insecurities of these redacted forms of information have been revealed. Furthermore, if the complainant had not wished to pay the stipulated fee for the photocopied records, a number of alternate options had been presented. These included abandoning the request, revising the request, viewing the records at a local office free of charge or paying the fee and having the documents delivered.

In April of 2009 the complaint was deemed **not substantiated** as the complainant had the option of viewing the records for no charge at a convenient location and paying only for photocopies of the records that the complainant deemed necessary.

This case demonstrates INAC's true commitment to upholding the confidentiality and sensitivity of records held by the Department. Although records were previously available by electronic means or by CD it has become apparent that these methods of information transfer are not secure. The change in procedure is not intended to increase difficulty in requesting information but instead to protect sensitive information held within the documentation.

Control of Records and Detailed Requests

A person detailed a request for specific records relating to a school and the documentation was not provided. Indian and Northern Affairs Canada (INAC) had appropriately responded to the requestor by informing the person that the records could not be found as they were under control of a third party, the administrators of the program. INAC is only required to provide access to records that are under its control.

A complaint was then filed by the requestor indicating that a specific document had not been provided when requested. Investigation of the request revealed that the complainant had not requested the specific document in question. The complainant

was then informed that in order to receive the document it would be necessary to file a request for it.

Due to the fact that INAC was operating within outlined policy and procedure the complaint was deemed **not substantiated**.

This case aids in outlining the obligation placed upon the requestor to contact the appropriate authority to exercise their right of access and to be specific regarding their needs.

Delays and Extensions

In June of 2008 a request for information was made giving thirty days to respond, but the request required clarification. This extended the due date thirty days from when INAC requested the clarification. This took place a number of times and to that effect the due date to complete the response was extended a number of times. At one point INAC passed the time limit to respond. Soon after, INAC provided the requestor with a partial release of information.

It was after this point that the requestor filed a complaint regarding the delays in responding to the request. Within thirty four days of receiving the complaint INAC provided a second partial release of information to complete the request.

The investigation of the complaint revealed that INAC had difficulties retrieving the documentation related to the request and, as INAC was also installing the new Access to Information case management system, AccessPro Case Management/AccessPro Redaction, there were delays. Delays were furthered by the fact that there was a shortage of staff.

Because the complainant did eventually receive the documents requested the complaint was considered **resolved**. Delays were essentially caused by the instatement of new staff and improvements to systems and operations. Although this case illustrates an issue with providing a timely response, it demonstrates INAC's commitment to improving departmental policies, procedures and operating systems to better serve the public.

Appendix A (See "Appendix B" for Supplemental Reporting Requirements for 2009-2010)

Government of Canada / Gouvernement du Canada

REPORT ON THE ACCESS TO INFORMATION ACT
RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATON

Institution				Reporting period / Période visée par le rapport
INDIAN AND NORTHERN AFFAIRS ACCESS TO INFORMATION AND PRIVACY				4/1/2009 to/à 3/31/2010
Source	Media / Médias 51	Academia / Secteur universitaire 7	Business / Secteur commercial 97	Organization / Organisme 44
				Public 111

I *Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information*

Received during reporting period / Reçues pendant la période visée par le rapport	310
Outstanding from previous period / En suspens depuis la période antérieure	120
TOTAL	430
Completed during reporting period / Traitées pendant la période visées par le rapport	330
Carried forward / Reportées	100

II *Disposition of requests completed / Disposition à l'égard des demandes traitées*

1.	All disclosed / Communication totale	88	6.	Unable to process / Traitement impossible	35
2.	Disclosed in part / Communication partielle	132	7.	Abandoned by applicant / Abandon de la demande	60
3.	Nothing disclosed (excluded) / Aucune communication (exclusion)	3	8.	Treated informally / Traitement non officiel	2
4.	Nothing disclosed (exempt) / Aucune communication (exemption)	5	**TOTAL**		330
5.	Transferred / Transmission	5			

III *Exemptions invoked / Exceptions invoquées*

S. Art. 13(1)(a)	1	S. Art.16(1)(a)	2	S. Art. 18(b)	0	S. Art. 21(1)(a)	43
(b)	0	(b)	0	(c)	0	(b)	26
(c)	7	(c)	4	(d)	3	(c)	32
(d)	1	(d)	0	S. Art. 19(1)	97	(d)	4
S. Art. 14	10	S. Art. 16(2)	0	S. Art. 20(1)(a)	0	S. Art.22	2
S. 15(1) Art. International rel. / Relations interna.	2	S. Art. 16(3)	0	(b)	89	S. Art 23	34
Defense / Défense	5	S. Art. 17	2	(c)	45	S. Art. 24	4
Subversive activites / Activités subversives	0	S. Art. 18(a)	2	(d)	23	S. Art 25	0

IV *Exclusions cited / Exclusions citées*

S. Art. 68(a)	4	S. Art. 69(1)(c)	0
(b)	0	(d)	2
(c)	0	(e)	6
S. Art. 69(1)(a)	2	(f)	0
(b)	1	(g)	19

V *Completion time / Délai de traitement*

30 days or under / 30 jours ou moins	151
31 to 60 days / De 31 à 60 jours	76
61 to 120 days / De 61 à 120 jours	51
121 days or over / 121 jours ou plus	52

VI *Extensions / Prorogations des délais*

	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	57	21
Consultation	25	41
Third party / Tiers	11	29
TOTAL	93	91

VII *Translations / Traduction*

Translations requested / Traductions demandées		0
Translations prepared / Traductions préparées	English to French / De l'anglais au français	0
	French to English / Du français à l'anglais	0

VIII *Method of access / Méthode de consultation*

Copies given / Copies de l'original	219
Examination / Examen de l'original	1
Copies and examination / Copies et examen	0

IX *Fees / Frais*

Net fees collected / Frais net perçus			
Application fees / Frais de la demande	$1,405.00	Preparation / Préparation	$0.00
Reproduction	$2,890.80	Computer processing / Traitement informatique	$0.00
Searching / Recherche	$5,599.40	**TOTAL**	$9,895.20

Fees waived / Dispense de frais	No. of times / Nombre de fois	$
$25.00 or under / 25 $ ou moins	48	$ 255.20
Over $25.00 / De plus de 25 $	30	$ 5,258.20

TBS/SCT 350-62 (Rev. 1999/03)

X *Costs / Coûts*

Financial (all reasons) / Finances (raisons)		
Salary / Traitement	$	1,000,000.00
Administration (O and M) / Administration (fonctionnement et entretien)	$	150,000.00
TOTAL	$	1,150,000.00
Person year utilization (all reasons) / Années personnes utilisées (raison)		
Person year (decimal format) / Année-personnes (nombre décimal)		16.00

Appendix B

In addition to the reporting requirements addressed in the TBS Statistical Report (see "Appendix A"), institutions are required to report supplemental information. INAC's Supplemental Reporting Requirements are as follows:

Supplemental Reporting Requirements *Access to Information Act*		
Part III – Exemptions Invoked		
Section 13		
Subsection	13(e)	0
Section 14		
Subsections	14(a)	5
	14(b)	0
Part IV – Exclusions Cited		
Subsection 69.1	(1)	0

Appendix C

Ministre des Affaires indiennes et du Nord canadien et interlocuteur fédéral auprès des Métis et des Indiens non inscrits

Minister of Indian Affairs and Northern Development and Federal Interlocuto for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

Loi sur l'accès à l'information - Ordonnance de délégation de pouvoirs

En application des pouvoirs de désignation qui me sont conférés en vertu de l'article 73 de la *Loi sur l'accès à l'information*, j'autorise par les présentes les employés exerçant des fonctions ou occupant le poste de secrétaire du Ministère, Secrétariat du Ministère (numéro de poste 12294), le coordonnateur (numéro de poste 62185) de l'Accès à l'information et de la protection des renseignements personnels et les employés qui leur succéderont, y compris les employés qui les remplacent en leur absence, ou toute personne ou agent désigné par écrit pour les remplacer, à exercer ces pouvoirs, responsabilités ou fonctions dévolus au ministre en tant que chef de cette institution administrative en vertu de la Loi, et tel qu'énoncés dans l'annexe A ci-jointe.

J'autorise par la présente les conseillers principaux de l'Accès à l'information et de la protection des renseignements personnels (numéros de postes 62364, 12590, 12061 et 12058) et ceux qui leur succéderont, y compris, en leur absence, toute personne ou agent désigné par écrit pour agir en son nom, à exercer les pouvoirs, les responsabilités ou les

Access to Information Act – Delegation Order

Pursuant to the powers of designation conferred upon me by Section 73 of the *Access to Information Act*, the persons exercising the functions or positions of Corporate Secretary, Corporate Secretariat (position number 12294), and the departmental Access to Information and Privacy Coordinator (position number 62185) and their respective successors, including in their absence, a person or officer designated in writing to act in the place of the holder of any such functions or positions are hereby designated to exercise those powers, duties or functions of the Minister as the Head of the government institution under the Act, and as set out in the attached Schedule A.

The departmental Access to Information and Privacy Senior Advisors (position numbers 62364, 12590, 12061 and 12058) and their respective successors, including in her/his absence, a person or officer designated in writing as being authorized to act in the place of the holder of any such function or position, are hereby designated to exercise those powers,

Canada

fonctions dévolus au ministre en tant que chef de cette institution administrative du gouvernement en vertu de la Loi, et tel qu'énoncés dans l'annexe B ci-jointe.

duties or functions of the Minister as the Head of the government institution under the Act, and as set out in the attached Schedule B.

Ministre des Affaires indiennes et du Nord canadien
Minister of Indian Affairs and Northern Development

Signé à Gatineau, le 26e mai, 2008
Dated at Gatineau, the 26 of May, 2008

SCHEDULE A

DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT
SCHEDULE TO DELEGATION ORDER

DESIGNATION PURSUANT TO SECTION 73 OF THE ACCESS TO INFORMATION ACT

Sections and Powers, Duties or Functions

6 Advise requestors that we need additional information to proceed with their request
7(a) Give written notice to requestor that we can proceed with the request
8(1) Transfer request to another institution or accept transfer from another institution
9 Extend time limits
10 Refuse to acknowledge or deny the existence of records
11 Charge additional fees
12(2)(3) Provide access in alternate format
13 Exempt information obtained in confidence
14 Exempt information pertaining to federal-provincial affairs
15 Exempt information pertaining to international affairs and/or defence
16 Exempt information pertaining to law enforcement and investigations
17 Exempt information pertaining to the safety of individuals
18 Exempt information pertaining to the economic interests of Canada
19 Exempt personal information
20 Exempt or disclose third party information
21 Exempt information pertaining to advice, decision-making processes of government plans and positions etc.
22 Exempt information pertaining to testing procedures or audits
23 Exempt information pertaining to solicitor-client privilege
24 Exempt information subject to statutory prohibitions or other Acts of Parliament
25 Sever information
26 Exempt information to be published within 90 days
27(1)(4) Notify third parties of their rights to provide communications/representations regarding the disclosure of their records
28 Receive third party representations; make a decision as to whether to disclose the record or part thereof; and, notify third party of the right to appeal to the Federal Court
29(1) Disclose information on Information Commissioner during an investigation
33 Advise the Information Commissioner of any third party involvement
35(2) Make representations to the Information Commissioner during an investigation
37(4) Release information to complainant
43(1) Issue a notice to a third party of an application for Court review
44(2) issue a notice to an applicant that a third party has applied for Court review
52 Request special rules for hearings
69 Exclude Cabinet Confidences
71 Inspect and exempt information in manuals
72(1) Prepare Annual Report to Parliament
77 Carry out responsibilities conferred to the Head of institution by the regulations made under section 77 which are not included in the above

SCHEDULE B

DEPARTMENT OF INDIAN AND NORTHERN DEVELOPMENT
SCHEDULE TO DELEGATION ORDER

DESIGNATION PURSUANT TO SECTION 73 OF THE ACCESS TO INFORMATION ACT

Sections and Powers, Duties or Functions

6 Advise requestors that we need additional information to proceed with their request
7(a) Give written notice to requestors that we can proceed with their request
8(1) transfer request to another institution or accept transfer from another institution
9 Extend time limits
11 Charge additional fees
27(1)(4) Notify third parties of their rights to provide comments/representations regarding the disclosure of their records
28 Receive third party representations; make a decision as to whether to disclose the record or part thereof; and, notify third party of right to appeal to Federal Court
33 Advise the Information Commissioner of any third party involvement
35(2) Make representations to the Information Commissioner during an investigation
43(1) Issue a notice to a third party of an application for Court review
44(2) Issue a notice to an applicant that a third party has applied for Court review